

**FILED**  
JUL 10 2012  
  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR11-40111-KES

Plaintiff,

SECOND SUPERSEDING  
INDICTMENT

vs.

RONALD GOLDBERG,

Bank Fraud; Access Device Fraud;  
Wire Fraud

Defendant.

18 U.S.C. §§ 1344, 1029(a)(5),  
1029(b)(1), 1343, 1349

The Grand Jury charges:

COUNT 1.

On or about May 27, 2011, Ronald Goldberg knowingly executed and attempted to execute a scheme and artifice to defraud a financial institution, namely US Bank, located in Sioux Falls, South Dakota, whose deposits were, at the time of the offense, insured by the Federal Deposit Insurance Corporation (FDIC), to obtain money, funds, credits, assets, securities, and other property owned by, and under the custody and control of, the aforementioned financial institution, by means of false or fraudulent pretenses, representations, and promises. Specifically, Ronald Goldberg deposited a counterfeit check and withdrew funds against the deposit, all in violation of 18 U.S.C. § 1344.

COUNT 2.

On or about June 1, 2011, Ronald Goldberg knowingly executed and attempted to execute a scheme and artifice to defraud a financial institution, namely US Bank, located in Sioux Falls, South Dakota, whose deposits were, at the time of the offense, insured by the Federal Deposit Insurance Corporation (FDIC), to obtain money, funds, credits, assets, securities, and other property owned by, and under the custody and control of, the aforementioned financial institution, by means of false or fraudulent pretenses, representations, and promises. Specifically, Ronald Goldberg deposited a counterfeit check and withdrew funds against the deposit, all in violation of 18 U.S.C. § 1344.

COUNT 3.

On or about July 8-9, 2010, Ronald Goldberg knowingly executed and attempted to execute a scheme and artifice to defraud a financial institution, namely First Midwest Bank, located in Sioux Falls, South Dakota, and PNC Bank, whose deposits were, at the time of the offense, insured by the Federal Deposit Insurance Corporation (FDIC), to obtain money, funds, credits, assets, securities, and other property owned by, and under the custody and control of, the aforementioned financial institutions, by means of false or fraudulent pretenses, representations, and promises. Specifically, Ronald Goldberg requested and received a transfer into an account under his control from an account for which he was not authorized to remove funds, all in violation of 18 U.S.C. § 1344.

COUNT 4.

Between on or about February 10, 2012, and March 7, 2012, in the District of South Dakota and elsewhere, Ronald Goldberg, knowingly and with intent to defraud, effected transactions and attempted to effect transactions, with one or more access devices issued to another person, namely a Diners Club credit card, account number ending in 7602, taken out in the name of Steven Boss, and by such conduct, during the time frame stated, Ronald Goldberg received things and attempted to receive things of value totaling over \$1,000, said activity in and affecting interstate commerce in that the access devices were issued by credit card companies to individuals located in a state other than South Dakota, all in violation of 18 U.S.C. §§ 1029(a)(5) and 1029(b)(1).

COUNTS 5-10.

From on or about February 10, 2012, to on or about March 7, 2012, in the District of South Dakota and elsewhere, Ronald Goldberg devised and intended to devise a scheme and artifice to defraud Steven Boss and others, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises. For the purpose of executing the scheme and artifice, Ronald Goldberg did knowingly cause to be transmitted by means of wire communication in interstate commerce the signals and sounds, all in violation of 18 U.S.C. §§ 1343 and 1349, as follows:

COUNT	DATE	AMOUNT	WIRE COMMUNICATION
5	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa
6	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa
7	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa
8	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa
9	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa
10	03/04/2012	\$500.00	Attempted money transfer from credit card of Steven Boss of Dallas, Texas, to Western Union location in Spirit Lake, Iowa

## COUNTS 11-13.

From on or about August 27, 2010, to on or about August 31, 2010, Ronald Goldberg devised and intended to devise a scheme to defraud individuals, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises. For the purpose of executing the scheme and

artifice, Ronald Goldberg did knowingly cause to be transmitted by means of wire communication in interstate commerce the signals and sounds, all in violation of 18 U.S.C. §§ 1343 and 1349, as follows:

COUNT	DATE	AMOUNT	WIRE COMMUNICATION
11	08/27/2010	\$1,280.00	Unauthorized online wire transfer of funds from Joseph and Patricia Tomascik of Grosse Ile, Michigan, to a credit card account of Robert Blagman of Sherman Oaks, California
12	08/30/2010	\$2,264.25	Unauthorized online wire transfer of funds from Joseph and Patricia Tomascik of Grosse Ile, Michigan, to a credit card account of Robert Blagman of Sherman Oaks, California
13	08/31/2010	\$2,000.00	Unauthorized online wire transfer of funds from Joseph and Patricia Tomascik of Grosse Ile, Michigan, to a credit card account of Robert Blagman of Sherman Oaks, California

A TRUE BILL:

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Foreperson

BRENDAN V. JOHNSON  
United States Attorney

By: 